

40 years
1968-2008



February 6, 2009

ATTORNEYS AT LAW

Honorable Commissioner for Trademarks
P.O. Box 1451
Alexandria, VA 22313-1451

JORDAN S. WEINSTEIN
(703) 412-6442
JWEINSTEIN@OBLON.COM

Re: SAFEWAY INC.
Mark: PARKER'S ROOT BEER
U.S. Appln. Serial No.: 76/655,917
Class(es): 32
Atty Dkt. No.: 287091US56

Dear Commissioner:

We enclose the following for filing in the U.S. Patent and Trademark Office:

☒ Notice of Appeal

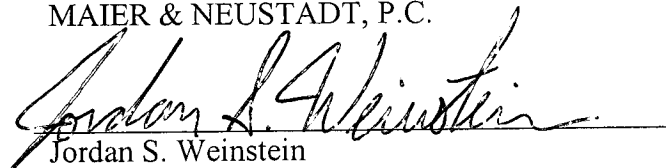
Also enclosed is the credit card payment form for the required filing fee in the amount of \$100.00.

The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 50-2014.

Please note: All electronic correspondence relating to this matter should be sent to tmddocket@oblon.com.

Respectfully submitted,

OBLON, SPIVAK, MCCLELLAND,
MAIER & NEUSTADT, P.C.


Jordan S. Weinstein

JSW/dlb

TTAB

Attorney Docket No.: 287091US56

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re the Application of:

SAFEWAY INC.

Application Serial No.: 76/655,917

Filed: March 1, 2006

Mark: PARKER'S ROOT BEER

Class: 32

Examining Attorney

Linda Orndorff

Law Office 111

TTAB

FEE

The Trademark Trial and Appeal Board

P.O. Box 1451

Alexandria, VA 22313-1451

Dear Commissioner:

NOTICE OF APPEAL

Applicant, SAFEWAY INC., hereby appeals from the final refusal issued by the Examining Attorney, pursuant to Rules 2.141 and 2.142(a) of the Trademark Rules of Practice. Applicant is filing concurrently a Request for Reconsideration, a copy of which is attached. The Request for Reconsideration includes voluminous exhibits, which are not attached hereto so as not to burden the Board with unnecessary documents; however, Applicant would be pleased to provide copies of these exhibits as filed with the Examining Attorney should the Board so desire.

Suspension of the Appeal pending reconsideration by the Examining Attorney is respectfully requested.

02/12/2009 HPHAM1 00000043 76655917

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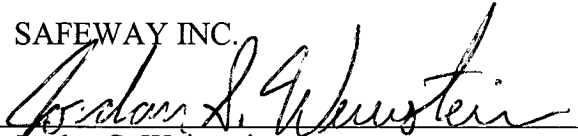
02-06-2009

We enclose our credit card payment form or check for the required filing fee for this Notice of Appeal. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Account No. 50-2014.

Respectfully submitted,

SAFEWAY INC.

By:



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Date: February 6, 2009

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